

HOUSE BILL 2246

By Sharp

AN ACT to amend Tennessee Code Annotated, Title 54, relative to noise abatement along highways, roads and bridges.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, is amended by adding Sections 2 through 5 as a new part thereto.

SECTION 2. The department of transportation shall minimize impacts from highway traffic noise in noise-sensitive areas. For the purposes of this section, the following building establishments shall be considered noise-sensitive areas if such establishments have received a valid building permit at the time the department conducts a noise analysis:

- (1) Residences;
- (2) Schools;
- (3) Churches;
- (4) Hospitals;
- (5) Libraries; and
- (6) Assisted living facilities, including those facilities that are part of a continuum of care campus.

SECTION 3. Highway traffic noise impacts occur when predicted noise levels equal or exceed the federal highway administration's noise abatement criteria.

SECTION 4. The department shall take highway traffic noise impacts into consideration during the planning, location, design and construction phases of highway project developments.

SECTION 5. When predicted noise levels equal or exceed the federal highway administration's noise abatement criteria, the department of transportation shall take reasonable and feasible noise abatement measures. The noise abatement measures utilized shall employ appropriate engineering considerations and shall be fiscally prudent.

SECTION 6. Public input regarding proposed noise abatement measures shall be solicited and received before the final design of a highway, road or bridge project.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.